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| EXAMINER |
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NGUYEN, ANH T

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| ART UNIT | PAPER NUMBER |
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2127

DATE MAILED: 03/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Page

Office Action Summary

Application No

09/704,218

Applicant(s)

DAUGHTREY, RODNEY S.

Examiner

Anh T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-42 are presented for examination.

Drawings

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities:

Page 4, line 17, should recite, "with the different types",

Page 5, line 8, should recite, "region 72 that displays different",

Page 5, line 20, reference is made to FIG. 9, which does not exist,

Page 7, line 4, should recite, "tab 78b",

Page 7, line 14, should recite, "column 96a contains",

Page 7, line 22, should recite, "cells 104a-104c",

Page 7, lines 24-25, should recite, " to select itineraries",

Page 8, line 10, should recite, "web page 70",

Page 9, line 19, should recite, "As shown in FIG.8",

Page 9, line 23, should recite, "non-refundable".

Appropriate correction is required.

Claim Objections

4. The following claims are objected to because of the following informalities:

Claim 1, lines 3 and 4, "a first set categories", should recite --a first set of categories--,

Claims 3 and 14, "includes plurality", should recite --includes a plurality--,

Claims 5 and 16, "form", should recite --from--,

Claims 8 and 19, "format either", should recite --format is either--,

Claims 9 and 20, "displays", should recite --display--,

Claim 23, "'to user", should recite --to a user--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 recites the limitation "first categories" in lines 5 and 7.

Claim 3 recites "categories" in line 5. There is insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4, 6-15, and 17-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Iyengar et al., USPN 6,360,205, hereinafter Iyengar.

As per independent **claim 1**, Iyengar discloses a user interface for presenting travel itineraries to a user comprising:

an itinerary region for displaying travel itineraries, each travel itinerary having a corresponding value for a first travel criterion, the travel itineraries being grouped into a first set of categories based on the values of the first travel criterion (FIG.10, col.11, line 27-30); and

a filter region including a plurality of cells and each cell is associated with one of the first set of categories of travel itineraries (FIG.8, col.11, lines 13-15);

wherein when a user selects one of the plurality of cells, the itinerary region displays only travel itineraries in the one of the first set of categories associated with the selected cell (FIG.10, *Airlines: Delta Air Lines, United, TWA*).

As per **claim 2**, which is dependent on claim 1, Iyengar teaches wherein:

each travel itinerary has a corresponding value for a second different travel criterion, the travel itineraries being grouped into the first set of categories based also on the value of the second different travel criterion (FIG.10, *Departing City*); and

the cells are arranged in rows and columns, with cells associated with first categories having the same value for the first travel criterion being positioned in the same row and cells associated with first categories having the same value for the second travel criterion being positioned in the same column (FIG.10, *Arriving City*).

As per **claim 3**, which is dependent on claim 1, Iyengar teaches wherein:

the filter region further includes plurality of tabs, each tab being associated with a different travel criterion (FIG.23, *Criterion: Round Trip or One Way*); and

the user causes the filter region to display the plurality of cells associated with categories based on the first criterion by selecting a tab associated with the first travel criterion (FIG.23, col.17, lines 34-36).

As per **claim 4**, which is dependent on claim 1, Iyengar teaches wherein at least one of the plurality of cells displays information about the travel itineraries in the category associated with the cell (FIG.10, col.11, line 27-30).

As per **claim 6**, which is dependent on claim 4, Iyengar teaches wherein the at least one of the plurality of cells displays a cost of travel (FIG. 10).

As per **claim 7-8**, which is dependent on claim 1, Iyengar teaches wherein at least one of the first itinerary and filter region is represented in a tagged format using either Hypertext Markup Language or eXtensible Markup Language (col.15, lines 11-12).

As per **claim 9-10**, which is dependent on claim 7, Iyengar teaches wherein at least one of the plurality of cells is associated with a link, the link causing the itinerary region to displays only travel itineraries in the one of the first set of categories associated with the cell when a user selects the cell (FIG.10, *Link to Web Specials*) and also wherein the link is either an xlink or a uniform resource location link (col.16, lines 49-50).

As per **claim 11**, which is dependent on claim 1, Iyengar teaches wherein the itinerary region further displays a detail link associated with each itinerary, the detail link being configured to display detailed information about the itinerary associated with the link when the link is selected (FIG.10, *Book This Fare*).

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Claims 12-15 and 17-22, are similar in scope to claims 1-4 and 6-11, and therefore are rejected under similar rationale.

7. Claims 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by DeMarcken et al., USPN 6,307,572, hereinafter DeMarcken.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per **claim 27**, DeMarcken teaches a user interface for presenting an itinerary to a user, the user interface comprising:

a display of a segment of the itinerary including (FIG.25):

a location of departure and a location of arrival for the first segment (FIG.25, *Departure Point*);

a duration for the first segment (FIG.25, *Elapsed*)); and

at least one of a departure time and an arrival time (FIG.25, *Departure, Arrival*).

As per **claim 28**, which is dependent on claim 27, DeMarcken teaches wherein the segment of the itinerary is at least one of a travel segment and a layover (FIG.25, *Layover*).

Claims 29-30 are similar in scope to claims 27-28, and are rejected under similar rationale.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iyengar et al., USPN 6,360,205, hereinafter Iyengar.

As per **claim 5 and claim 16**, which is dependent on claim 1, Iyengar teaches wherein the first travel criterion is selected from a group that includes airline, departure time, arrival time, location of departure, location of arrival, number of stops, cost (FIG.10)

Iyengar does not specifically disclose the criterion such as travel restrictions, expected delays, and safety records. Official Notice is given that the use of such criterion, is well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to include these criterion in the travel criteria group of Iyengar because it would better the customization of travel plans.

10. Claims 23-26, 31-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeMarcken et al., USPN 6,307,572, hereinafter DeMarcken in view of Garland, USPN 6,252,596.

As per **claim 23-24**, DeMarcken teaches a user interface for presenting an itinerary to user, the user interface comprising:

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a first display of a first segment of the itinerary including a location of departure and a location of arrival for the first segment (FIG.25, *BOS Boston to STL*); and

a second display of a subsequent segment of the itinerary including a location of departure and a location of arrival for the subsequent segment (FIG.25, *PHX to SAN San Diego*);

wherein the location of arrival for the first segment is different from the location of departure for the subsequent segment (FIG.25, *STL and PHX*) and

DeMarcken does not disclose at least one of the first display and the second display is emphasized to indicate to the user that the itinerary has a different location of arrival for the first segment from the location of departure for the subsequent segment.

Garland teaches highlighting various text attributes including italics, font size, font type, bold face font, print color, and background color for emphasis (FIG.2, *Morphable Attributes*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the highlighting features of Garland in the travel display of DeMarcken because it allows the user to customize the display presentation to emphasize information to the user in an optically ergonomic way while minimizing eye strain, tension, and headaches (col.1, lines 32-34; col.10, lines 54-55, lines 56-57). Additionally, highlighting the display presentation to alert the user can be done in a pleasant or agitating way by varying the attributes accordingly. For example, varying the intensity of the background colors and using red will alert the user in agitating manner. Likewise, altering font size and style will alert the user in a pleasant way.

Claims 25-26 are similar in scope to claims 23-24, and are rejected under similar rationale.

Claims 31-34 are similar in scope to claim 24, and are rejected under similar rationale.

As per **claim 35**, which is dependent on claim 34, DeMarcken teaches wherein the first segment is a layover segment and the alert is selected from a group that includes notification of a short duration layover and a long duration layover (FIG.23, *Layover*).

As per **claim 36**, which is dependent on claim 34, DeMarcken teaches wherein the first segment is a travel segment and the alert is selected from a group that includes notification of a non-refundable travel fare (FIG.24, *Refundable/Non-Refundable*). DeMarcken does not expressly teach alerts such as notification of fees for changing the travel segment, overnight travel, and unknown seat availability. Official Notice is given that such are well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to include these features because it would prevent any unexpected charges to incur and provide the user with complete information to base their travel decisions.

Claims 37-42 are similar in scope to claims 31-36, and are therefore rejected under similar rationale.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Delorme et al., USPN 5,948,040, teaches a travel reservation information planning system.

Vance et al., USPN 6,442,526, teaches a corporate travel planning and management system.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh T Nguyen whose telephone number is

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(703) 305-8649. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

Anh T. Nguyen
Art Unit 2127
March 5, 2004



Kristine Kincaid
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SUPERVISORY PATENT EXAMINER
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